

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

JOEY ASHWORTH

Plaintiff,

v.

CIVIL ACTION NO. 2:20-cv-00041

SOUTH CENTRAL REGIONAL JAIL,

Defendant.

ORDER

This action was referred to United States Magistrate Judge Dwane L. Tinsley for submission of proposed findings of fact and recommendations for disposition pursuant to 28 U.S.C. § 636. Magistrate Judge Tinsley submitted his Proposed Findings and Recommendation [ECF No. 5] (“PF&R”) and recommended that I dismiss Plaintiff’s complaint and this civil action pursuant to 28 U.S.C. §§ 1915A and 1915(e)(2)(B) and that I deny Plaintiff’s Application to Proceed Without Prepayment of Fees and Costs. Neither party timely filed objections to the PF&R nor sought an extension of time.

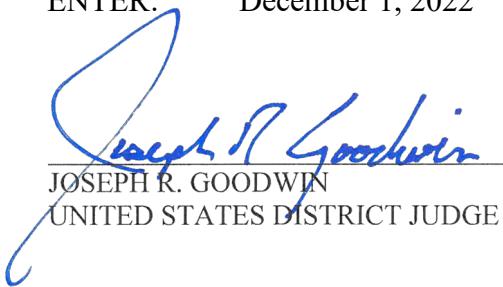
A district court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1)(C). This court is not, however, required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge

as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985).

Because the parties have not filed objections in this case, the court adopts and incorporates herein the PF&R and orders judgment consistent therewith. The court **DENIES** Plaintiff's Application to Proceed Without Prepayment of Fees and Costs [ECF No. 1] and **DISMISSES** Plaintiff's complaint [ECF No. 2]. I order that this case be **DISMISSED** and **REMOVED** from the docket of the court.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: December 1, 2022



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE